IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4364 OF 2006

Shri Babaso Banda Masutge & Ors. ...Petitioners
V/s.
The State of Maharashtra & Ors. ...Respondents

Mr.Kuldeep S. Patil for the Petitioners.

CORAM : H.S. BEDI, C.J., &
V.M. KANADE, J.

DATED : OCTOBER 7, 2006

P.C. :-

1. Heard the learned Advocate for the petitioners.

2. The Award of the Land Acquisition was made in 1995. This petition has been filed in 2006. The petitioners' Counsel has, however, argued that a suit challenging the acquisition had been dismissed only in the year 2000. We find that even if this argument of the petitioners is accepted, six years' time has elapsed from the date of the dismissal of the suit.

3. Petition is, accordingly, dismissed on the ground of laches.

4. We, however, direct that in case the petitioners make an application for the release of the compensation, the same shall be disbursed within two weeks thereafter.

CHIEF JUSTICE

V.M. KANADE, J.